

1 ALEJANDRO MICHEL #T-86169
2 CSP-SACRAMENTO-B5-219
3 POST OFFICE BOX 290066
4 REPRESA, CALIFORNIA 95671

FILED
20 AUG 13 PM 3:11
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
FBI SACRAMENTO

5
6 IN PROPRIA PERSONA
7

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10
11 ALEJANDRO MICHEL CASE# C08-1724 JSW

12 PETITIONER, OPPOSITION TO RESPONDENTS
MOTION TO DISMISS

13 **vs.** J.S MAGISTRATE JUDGE
JSW

14 J. WALKER, WARDEN, et al.

15 RESPONDENT,

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17 TO; RESPONDENT JAMES WALKER, ATTORNEY EDMUND G. BROWN JR.,
18 ATTORNEY OF RECORD;

19 Petitioner ALEJANDRO MICHEL, acting in propria persona
20 to the above entitled action, hereby file this opposition
21 pursuant to this District Court's Order dated JULY 15 2008,
22 and hereby admit and deny each factual allegation of the motion
23 to dismiss, and allege as follows;

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26 Petitioner admit he is currently in custody pursuant to
27 a plea entered in Marin County Superior Court, case No.123016,
28 but his sentence is illegal, and in violation of petitioner's

1 constitutional rights under the Sixth and Fourteenth Amendments.

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8 and are still being violated in may ways. Therefore, petitioner
9 submit that respondents Motion to Dismiss petitioner's Petition
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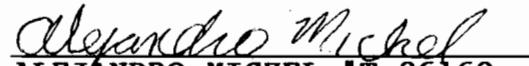
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5 **DATED: 8/8/08**

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7 Respectfully Submitted,

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"CONCLUSION"

Wherefore, petitioner moves this court to accept as true that he did in fact state "cause" and the required "prejudice," as reflected in his argument, unless and until, proven to be to the contrary by Respondents. (see JAMES V. MADISON STREET JAIL, 122 F.3d 27(9th Cir.1997)) And issue an order denying, and directing the Respondents to answer petitioner's Writ on the Merits.

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IN PROPRIA PERSONA

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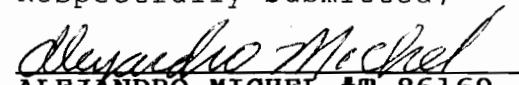
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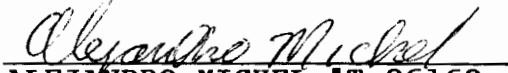
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IN PROPRIA PERSONA

PROOF OF SERVICE

(C.C.P. §2015.5; 28 U.S.C. §1745)

I, Alejandro Michel, am over the age of eighteen (18) years, and I (am) (am not) a party to the within cause of action. My address is:

CSP-Sacramento (BS 5-219)

P.O. Box 290066

Represa, Ca. 95621

On, August 8, 2008, I served the following documents:

Opposition To Respondents' Motion To Dismiss

on the below named individuals by depositing true and correct copies thereof in the United State mail in Represa, California, with postage fully prepaid thereon, addressed as follows:

1. U.S. District Court

Northern District of Calif.

U.S. Courthouse

450 Golden Gate Avenue

San Francisco, Ca. 94102-3483

2. Attorney General

455 Golden Gate Avenue

Suite 11000

San Francisco, Ca. 94102-1362

I have read the above statements and declare under the penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Executed this 8th day of August, 2008, at California State Prison at Sacramento, Represa, California.

(Signature)

Alejandro Michel
Declarant



Alejandro I
C&P - Saenzam
P.O. Box 2900066
Represa, CA 95671

TO: United States District Court
Northern District of California
US Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102-3483